

Urgent Need for Injunctive Relief

And urgency is related to imminent threat to life

The U.S District Court FILED 14 OCT 2011 57101COPP Dave Campbell

for The District of Oregon

Homeless Gay Veteran

1000, SW Third Avenue

Portland Oregon

Portland OR

October

3:20-cv-1769-SB

Motion: Immediate Urgent Injunctive Relief, Demand

Tear gas be eliminated and excluded for use in the U.S.

I ask that the Court set a date and time
to hear evidence about the public endangerment
and threat to health, safety and welfare of
Citizens of the United States of America, That
I have expressed in a lawsuit, complaint in
regard to the use of a chemical agent in
riot, peaceful assembly events and many other
circumstances where citizens have events
to exercise Civil Rights.

On October eleventh 2020 I had a bad experience
of a much less substantial threat involving the vapor
dispensed tear gas has proven when there is a
lapse in distance and time of dispersal to a degree
of most others being in no manner distressed, this
event was different in many ways that have no
rational or predictable calculation that
could used to protect the public, such factors
as humidity, wind, egress of areas affected, crowd

Page 2

behavioral components of other concern to
life or death struggle of victims in extraordinary
urgency and panic reasoning imminent death.

There is absolute knowledge of victim a single
second of differential variable the egress and negotiate
the physical response and anatomical reaction
of the muscles organs and life of death.
Physiological and psychological reactions that
are only experienced in recognition to extreme imminence
of death, in situations where no doubt at all that
one more breath or physical life is possible, consciousness
is at level of near total loss, it is absolute imminent
to less than an expectation of a second of time.

The first very serious episode of this
newly discovered vulnerability to tear gas exposure
was about 7 or 8 weeks after this (now unconstitutional
prolonged public threat) demonstration by take over of
public property began involving the police dispersal
of a relative to my knowledge peaceful assembly
this event had many Portland Police Officers
in riot gear follow protesters after an order
to disperse the tear gas was released as I

Page 3

I turned from SW Oak St onto Nato Parkway.
I was closer to the source but not in visibility
fog, the smell was near to moderate but low.
The effect on me was an extraordinary
realization, I came to a state of Panicked
factual aggress to seek any mitigable area,
It was not recognizable (likely) to Police or
Protestors that I was in panic in a struggle
for my life and not just trying to get out of the
area close to the intentional offensive attack that
is expectational to humans anatomical and intuition
flight responses, all of many hundreds protestors
continued relative to calm expressed flight, the Police
also retreated calm and properly in uniform to
riot with health, safety, and life supportive equipment
to necessary Police life survival, Protestors regular
to assess risk of confrontation had equipped to
need, that two people happened to be lagging
behind Protest Pack was essential to my surviving
the encounter, they may have been volunteer medics.
Each was carrying water, less water is factual to reason
for my survival.

A second incident happened about 3 weeks
later, this one was by probability an intentional

Daggett

exposure intent to my death and expressed by a man behind myself and an acquaintance as a threat in response to my familiarity to a deliberate release of must type tear gas for public use, although very panicked it was bad but less life threatening relative to my exposure and the effect. Sometime later two Protest Groups the Police group and the Street Populus of Protestors were interacting to free speech in opposition to each other, there was a tear gas release that was highly probable to actionable threat enactment of intention, but it is not completely clear to me if the man who made the threat was the instigator of the dispersal of gas or in fact was the attack mechanism himself. that became the most horrifying event of that type of incident, with no act or clear indication of crowd recognition or serious imminent panic of death naturally expressed in my responses and Panic - Death was that time at peak of imminent, and got to no expectation of survival, my last act to mitigate event of my possible expression in struggle to survival, was a realization that I would not live so motioning to have a woman clear out of my

Page 5

only direction of necessary aggression, I was complete in expectation of dying, but action and reasoning in that last thought, the clear possibility that breath and oxygenation were not at all any longer achievable and human reaction of intense struggle with combatine grasping at the air or lurching, grasping convolution or seizure had a very realistic likely potential to seriously hurt anyone that could recognize what was happening to me and attempt to help, it was my intention to get to an area clear of others to avoid harm, but had no expectation realistic to get there, reasoning simultaneously that once the woman and passed one another I would drop into unconsciousness or death, but she would not be harmed, I was because of experience only especially fortunate to survive what likely any other person would have survived.

There have been two or three events of this scene-management of extraordianation to situation and action to activity and instantaneous decisive choice activity to many manner get oxygen to the real obviousness there was not a doubt death was instantaneous.

I have been able to survive these things but

Page 6

the majority of these unpredictable experiences have either an anatomical or physically reactive mechanism of anatomical disability imposed through no Veterans Administration cruelty to me.

There is absolutely no doubt that survivability of almost any person that for any reason has this reactive experience to tear gas and is not aware of the possible use, does not have reason to be expectational of the intensity and deliberate physical and physiologic imposition on human anatomical reactivable fight impression on a human being that is not intentional to cause death, but in physiological diversifications of human anatomy that are uncommon and probable to be fatal in the pathological intervention to that variation in exposure to an unanticipated release of tear gas. The knowledge and experiential probable to be random and highly variable to situational variables and many other factors that can not be expectational to control, expectational crises mitigation, and the absolute ~~and~~ finite singular combination to correct choices attributing to surviving a completely unsurvivable random death threat. The fact that I am available to help in the

Page 7

Absolute immediate necessary ending of this type of event being ever experienced by any citizen of the United States is something that is very unlikely but as rational human beings, the enlightenment of our social responsibility to ourselves in our respect of one another in the value of life to uniqueness of each of us, the absolute unbearable duty to act is not in any manner mitigating to immediate order of this Court of The United States of America to stop the use of tear gas and in no circumstance ever foreseeable in the ~~United States~~ United States shall it ever again be used. In expectation that it will kill people understood and known. It is not only so very clearly unconstitutional that continuation ~~of~~ use in any thought or study research or analytical process or validation, is necessitated, the thought at all that continued use could be thought to be in any situation conceivable, is an express intentional to equate the killing of citizens in the exercise of Civil Rights absolute and undenied to citizens in any matter or manner that has expression.

Page 8

in The United States Constitution.

That there is clear and very intentional expression of Powers in our self-governance separated for the deliberate provision of freedom from infringements on one another equal to all three branches of government, each one has clear definition of purpose and method to functional contribution to the matters of achievement necessarily stated in contractual powers and limitation of action, allowed for common respect of one another to citizenship in equal value to all, the expression of authority to exclude exercise of Civil Rights is not expressed and our rights were addressed for the express deliberate provision to be beyond the reach of government power to be diminishable in way not clearly expressed and provisioned ~~not~~ Purpose for authority or that stated in the Constitution or or amended to achieve very clearly the expression of the Citizens of our agreement to one another to limit expressions or actions of ourselves upon ourselves through the established process of Representative presence to government continuity defined and approved through Ratification, the expression of any action

Page 9

being authorized which has the ability to, or possible consequential ~~result~~ result of being lethal in its enforcement, a very substantial consideration ~~for~~ ~~of~~ ~~the~~ Of Constitutionality regarding the properties, the lack of any ability to predictable demographic targeting for effect intentional or implied crowd movements and behavioral remediations or threat reduction, and tremendously importance by international consensus is the known lethal effect and other effects considered to be to harsh or inhumane, the regular occurrence of respiratory disabilities in ~~throughout~~ the country like Asthma, Emphysema, COPD along with a very high number of other disabilities which can have serious risk of harm or death as a direct result of the chemical composition and effect to particular disabilities plus consequential harms that are relatable, there are also environmental concerns that expand from site to variable weather and nuclear contamination is common but not widely reported.

The considerable selective nature of tear gas being lethal on people who

Page 10

are exposed has an expressed impact and value of imposing the greatest harm to include death is suffered almost exclusively by people with disabilities, that violates the Civil Rights of Citizens in consideration to the Americans With Disabilities Act in some well-expressed areas for which the protections that are established by the A.D.A. are intentional of preventable impositions sufferable to populations and persons in discrimination to causes of harm being sufferable is by the nature of disability.

To be respectfull to the equality, dignity and respect of all Citizens of the United States of America in the enjoyment of life, liberty happiness and all property; It is extraordinarily important to demand a remedy to this unconstitutional practice of using tear gas to deploy as a tool or crowd control mechanism in mitigation to behaviors, expressions, and all considerations where the need for use is not expressable as imminent need to necessity or National Security, extraordinary Civil unrest, riot and destruction that tear gas is needed in its impact is needed to management